

Rymer, Edwina

From: Overbay, Michael
Sent: Wednesday, September 09, 2015 2:28 PM
To: Honker, William;Garcia, David;Brown, Jamesr;Dellinger, Philip
Subject: FW: Press query re: EPA investigation into Lipsky water well contamination
Attachments: 2015-326 referral.pdf; 2015-326 REG ^ RECEIPT.pdf

A reporter for an online blog is asking questions about Mr. Lipsky's situation, and has provided a link to a video showing Dr. Zach Hildenbrand of UTA saying there are tremendous discrepancies between his measurements of hydrocarbons from Mr. Lipsky's well and the results Range Resources provided to us. The reporter initially contacted the EPA IG's office, and they referred her to Region 6. I had not seen any of this until today. As of this time, this is just FYI. I have not been asked to respond to this in any way.

Michael Overbay
Regional Ground Water Center Coordinator
US Environmental Protection Agency, Region 6
(214)665-6482

From: McDonald, Scott
Sent: Wednesday, September 09, 2015 11:25 AM
To: Henson, Tucker
Cc: Overbay, Michael; Lister, Chris
Subject: FW: Press query re: EPA investigation into Lipsky water well contamination
Importance: High

Tucker,

Please read below and see attachments. Do we have a recent summary paper or briefing sheet for Range? Would Mike or Chris have any sort of recent status report that we could provide to XA?

Scott

From: Gray, David
Sent: Wednesday, September 09, 2015 11:02 AM
To: McDonald, Scott
Cc: Blevins, John; Gilrein, Stephen
Subject: FW: Press query re: EPA investigation into Lipsky water well contamination
Importance: High

Here is the information OIG released to the reporter. Can you provide a status for me to share with her?

From: Lagda, Jeffrey
Sent: Wednesday, September 09, 2015 9:57 AM

To: Gray, David
Cc: Kaplan, Jennifer
Subject: RE: Press query re: EPA investigation into Lipsky water well contamination
Importance: High

Hi David:

I responded with the following to the reporter:

Q1: Does the EPA OIG plan to re-open its investigation into the alleged contamination of Mr. Lipsky's water well by Range Resources or other oil and gas activity?

A1: *The OIG has no ongoing work related to the alleged contamination of Mr. Lipsky's well. We referred a recent complaint to EPA Region 6 for action.*

Q2: Does your office have any thoughts on the validity of the arguments presented by Dr. Hildenbrand -- do you believe he presents a compelling case that prior sampling may have been inaccurate or misleading?

A2: *We have not reviewed these issues.*

Q3: My understanding is that EPA reached a non-binding agreement with Range Resources, in which Range Resources agreed to pay for several rounds of sampling for 20 Parker County wells, including Mr. Lipsky's, and to participate in prospective testing as part of EPA's national assessment of the risks that hydraulic fracturing poses to US drinking water supplies, and that in return, EPA would drop its investigation into Mr. Lipsky's water contamination. The prospective testing never occurred, and now Dr. Hildenbrand presents evidence that Range Resources may have used unreliable sampling protocols or otherwise provided the Lipsky's with testing results with a low level of reliability. Does EPA have confidence in the testing results reported by Range Resources for the Parker County wells under the non-binding agreement? Does EPA or your office specifically plan to further investigate the validity of the test results reported by Range for Parker County or allegations of water pollution at those wells?

A3: *We have no ongoing work regarding the validity of the testing results. We recommend that you contact EPA Region 6 (214/665-2200) for further questions on this topic.*

I referred the reporter to the agency if she had any further questions on this topic. We had previously referred these concerns to EPA on August 13, 2015. I attached the referral and the receipt for your reference.

If you have any questions, please contact me or Jennifer.

Thanks,

Jeff

From: Gray, David
Sent: Wednesday, September 09, 2015 10:25 AM
To: Lagda, Jeffrey
Subject: Fwd: Press query re:EPA investigation into Lipsky water well contamination

Hi Jeff,

Can you help with this? I understand you have referred this reporter to me.

David

Sent from my iPhone

Begin forwarded message:

From: "sharon@desmogblog.com" <sharon@desmogblog.com>
Date: September 9, 2015 at 8:22:25 AM MDT
To: "Gray, David" <gray.david@epa.gov>
Subject: Re: Press query re:EPA investigation into Lipsky water well contamination

Sounds good. It was Jeff Lagda. Thanks.

On Sep 9, 2015, at 10:01 AM, Gray, David <gray.david@epa.gov> wrote:

Interesting. Let me know who it was and I will give them a call.

From: sharon@desmogblog.com [<mailto:sharon@desmogblog.com>]
Sent: Wednesday, September 09, 2015 7:58 AM
To: Gray, David
Subject: Re: Press query re:EPA investigation into Lipsky water well contamination

Hi David,

Thanks for your fast response. It was the Inspector General's office that advised me to contact you and informed me that the complaint had been referred to Region 6. So my questions are for your office.

Thanks much,

Sharon

On Sep 9, 2015, at 9:52 AM, Gray, David <gray.david@epa.gov> wrote:

Hi Sharon,

You should contact the IG office directly.
Here are two contacts for you. Jennifer Kaplan 202.566.0918
kaplan.jennifer@epa.gov and Jeff Lagda 202.566.2584 lagda.jeffrey@epa.gov.

David

From: Sharon Kelly [<mailto:sharon@desmogblog.com>]
Sent: Wednesday, September 09, 2015 7:33 AM
To: Gray, David
Subject: Press query re:EPA investigation into Lipsky water well contamination

Mr. Gray,

My name is Sharon Kelly and I'm a reporter on assignment for DeSmogBlog. I am contacting you with questions related to the EPA's and EPA OIG investigation into water contamination at Steven Lipsky's property in Parker County, Texas. My understanding is that Mr. Lipsky has asked the EPA OIG to re-open the investigation into his case and that the OIG has referred a recent complaint to EPA Region 6. As part of Mr. Lipsky's request, he provided EPA with footage that can be seen starting 39 seconds into this video:
<https://vimeo.com/138575584>

In that footage, Dr. Zacariah Hildenbrand lays out evidence calling into question air and water test results reported by Range Resources in 2011 and by the Texas Railroad Commission in 2013.

A few related questions for you:

- 1) Does EPA Region 6 plan to re-open its investigation into the alleged contamination of Mr. Lipsky's water well by Range Resources or other oil and gas activity?
- 2) Is EPA currently investigating or planning to investigate reported water contamination in Parker County (in any way other than directly re-opening the investigation of Mr. Lipsky's water wells)?
- 3) Does your office have any thoughts on the validity of the arguments presented by Dr. Hildenbrand -- do you believe he presents a compelling case that prior sampling may have been inaccurate or misleading?
- 4) My understanding is that EPA reached a non-binding agreement with Range Resources, in which Range Resources agreed to pay for several rounds of sampling for 20 Parker County wells, including Mr. Lipsky's, and to participate in prospective testing as part of EPA's national assessment of the risks that hydraulic fracturing poses to US drinking water supplies, and that in return, EPA would drop its investigation into Mr. Lipsky's water contamination. The prospective testing never occurred, and now Dr. Hildenbrand presents evidence that Range Resources may have used unreliable sampling protocols or otherwise provided the Lipsky's with testing results with a low level of reliability. Does EPA have confidence in the testing results reported by Range Resources for the Parker County wells under the non-binding agreement? Does EPA or your office specifically plan to further investigate the validity of the test results reported by Range for Parker County or allegations of water pollution at those wells?

I am unfortunately working on a very tight deadline, so would appreciate your response soonest possible, and no later than 10 AM EST Thursday.

Thanks very much,

Sharon